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7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE DISTRICT OF NEVADA**

10  
11 ADAM TORRES,

12 Plaintiff,

13 vs.

14 GEICO CASUALTY COMPANY; DOES I  
15 through XX, inclusive; ROE CORPORATIONS  
16 I through XX, inclusive; DOE INSURANCE  
ADJUSTERS I through XX, inclusive,

17 Defendants.  
18

CASE NO.: 2:17-CV-01781

19 **STIPULATION AND ORDER TO CONTINUE DISCOVERY DEADLINES**  
20 ***(Second Request)***

21 Plaintiff, ADAM TORRES, by and through his counsel ROBERT W. COTTLE, ESQ. and  
22 DANIEL M. RYAN, ESQ., of THE COTTLE FIRM, and GEICO CASUATY COMPANY, by and  
23 through their counsel WADE M. HANSARD, ESQ., of MCCORMICK, BARSTOW, SHEPPARD,  
24 WAYTE & CARRUTH LLP, hereby stipulate and agree to vacate and extend the current discovery  
25 deadlines set forth in the Order to Continue Discovery Deadlines filed on October 4, 2017, pursuant to  
26 LR 26-4. This is the second stipulation for extending discovery deadlines.  
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28 . . .

1 **A. Discovery Completed to Date.**

- 2 1. Plaintiff served his Initial disclosures on July 28, 2017.
- 3 2. Plaintiff served Defendants with Interrogatories to Defendant on August 15, 2017.
- 4 3. Plaintiff served Defendants with Requests for Admissions on August 15, 2017
- 5 4. Plaintiff served Defendants with Requests for Production on Documents on
- 6 August 15, 2017.
- 7
- 8 5. Defendant served their Initial disclosures on September 22, 2017.
- 9 6. Defendant served their Responses to Plaintiff's Interrogatories on September 18, 2017.
- 10 7. Defendant served their Responses to Plaintiff's Requests for Admissions on
- 11 September 18, 2017.
- 12
- 13 8. Defendant served their Responses to Plaintiff's First Set of Requests for Production of
- 14 Documents on September 18, 2017.
- 15 9. Plaintiff served his First Supplement to his disclosures on October 2, 2017.
- 16 10. Plaintiff filed his First Motion to Compel and For Sanctions on October 17, 2017.
- 17 11. Defendant filed their Response to Plaintiff's First Motion to Compel and For Sanctions
- 18 on October 31, 2017.
- 19
- 20 12. Plaintiff filed his Reply to Defendant's Response to Plaintiff's First Motion to Compel
- 21 and For Sanctions on November 7, 2017.
- 22

23 **B. Description of Discovery that Remains to Be Completed.**

24 The parties intend on conducting the following additional discovery:

- 25 1. Plaintiff intends on taking the deposition of key adjusters, namely, Defendant's SIU
- 26 investigator, general adjuster, supervising adjuster, and Defendant's Fed. R. Civ. P. 30(b)(6), pending

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28

1 the resolution of Plaintiff's First Motion to Compel as the documents pertaining to the Motion will bear  
2 upon the substance and quality of the testimony taken.

3 2. Pending the resolution of Plaintiff's First Motion to Compel, Plaintiff will be providing  
4 documentation to his expert for purposes of expert disclosure.

5 3. Initial expert designations.

6 4. Rebuttal expert designations.

7 5. Expert depositions.

8  
9 **C. Reasons Why Discovery was Not Completed.**

10 Plaintiff has filed his First Motion to Compel, which has yet to be set for hearing. The outcome  
11 of the hearing will bear upon the substance and quality of deposition testimony taken, as well as the  
12 content of expert reports. In addition, the parties submit that the stipulation will likely help avoid repeat  
13 depositions and repeat expert evaluations/reports in the event there is substantial disclosure of additional  
14 claim notes, claim file, claim correspondence, and policies and procedures on behalf of Defendant Geico  
15 as a result of Plaintiff's Motion to Compel.

16  
17 Finally, the parties are entertaining the possibility of mediation in early January.

18  
19 As such, the parties respectfully stipulate and request that the discovery deadlines be extended as  
20 delineated herein.

21 **D. Proposed Schedule for Completing Remaining Discovery.**

22 1. **Discovery Cut-off Date:** April 20, 2018.

23 2. **Amending the Pleadings and Adding Parties:** This deadline has past.

24 3. **FRCP 26(a)(2) Disclosure of Experts:** Disclosure of experts shall proceed according to  
25 Rule 26(a)(2) and LR 26-1(e)(3) as follows: The disclosure of experts and their reports shall occur on or  
26 before February 20, 2018. The disclosure of rebuttal experts and their reports shall occur on or before  
27  
28

1 March 23, 2018. The expert disclosure date is 60 days before the discovery cut-off date.

2 4. **Interim Status Report:** The parties shall file the Interim Status Report on or before  
3 February 20, 2018, 60 days before the discovery cut-off date, as required pursuant to LR 26-3.

4 5. **Dispositive Motions:** The parties shall have until May 21, 2018 to file dispositive  
5 motions. This is 30 days after the discovery cut-off date, as required pursuant to LR 26-1(e)(4).  
6

7 6. **Pre-Trial Order:** The parties will file a Joint Pre-Trial Order on or before June 22, 2018,  
8 which is not more than 30 days after the date set for filing dispositive motions in this case, as required  
9 pursuant to LR 26-1(e)(5). This deadline will be suspended if dispositive motions are timely filed until  
10 30 days after the decision of the dispositive motions or until further order of the Court. The disclosure  
11 required by FRCP Rule 26(a)(3), and objections thereto, shall be made in the Pre-Trial Order.  
12

13 This Stipulation is made in good faith and not for the purposes of delay.

14 DATED this 30<sup>th</sup> day of November, 2017.

DATED this 30<sup>th</sup> day of November, 2017.

15 /s/ Robert W. Cottle  
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23 IT IS SO ORDERED.

24 Dated: December 1, 2017

25 The parties shall continue to diligently conduct  
26 discovery while Plaintiff's motion to compel is pending.

27   
28 UNITED STATES MAGISTRATE JUDGE